

REMARKS

Claims 4-19 are pending in the application.

Applicant is pleased that the Examiner has indicated that the pending claims 4-19 define patentable subject matter, and that they would be allowable if rewritten or amended to overcome the section 112 rejection.

Applicant has reviewed the claims and has amended the claims to more particularly articulate the invention in view of the Examiner's comments on page 5 of the Office Action. Claims 1 and 12 recite the language of said proscribed code scanner analyzing information that preexists in said code prior to said proscribed code scanner providing an indicator. This amendment is fully supported by the specification, and no new matter has been introduced. (See specification at par. 22, line 8; par. 23, lines 1-2, and lines 6-10; par. 24, lines 1-4, with reference being made to the Applicant's published application Pub. No. US 2006/0129237 A1.)

For the above reasons, reconsideration and a withdrawal of the rejection is respectfully requested.

Applicant notes the double patenting rejections and will submit herewith a terminal disclaimer for each of the double patenting rejections in the case, when they remain the only rejections in the case. Reconsideration and a withdrawal of the double patenting rejection are hereby respectfully requested upon the submission of the terminal disclaimer.

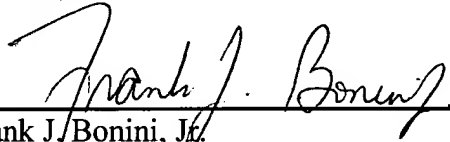
Serial no. 09/800,328
Response to Office Action dated July 5, 2007
Response dated: January 7, 2008

E-2550

If necessary, an appropriate extension of time to respond is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required to Patent Office Deposit Account No. 05-0208.

Respectfully submitted,
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